Omni Innovations LLC v. Insurance Only Inc et al Doc. 32

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THE HON. JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON, SEATTLE

OMNI INNOVATIONS, LLC, a Washington Limited Liability company;

Plaintiff,

v.

Insurance Only, Inc. and JOHN DOES, I-X,,

Defendants,

NO. CV6-1210

MOTION FOR A STAY

[NOTE FOR HEARING: September 14, 2007]

Plaintiff, by and through undersigned counsel, hereby moves the Court for an order staying this litigation pending Plaintiffs' appeal to the US Circuit Court of Appeals For the Ninth Circuit in *Gordon v Virtumundo, et al.*, CV06-0204.

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Plaintiffs have filed an appeal to the US Court of Appeals for the Ninth Circuit in *Virtumundo.* Although some of the factual issues in the present case differ from those in *Virtumundo,* the fundamental issue of Plaintiffs' standing is common, and critical to both cases.

Additionally, Plaintiff's counsel has filed a motion to withdraw, and a stay would serve to protect Plaintiff's rights pending the *Virtumundo* appeal, and provide Plaintiff adequate time within which to secure substitute counsel.

Accordingly, there is good cause to stay this litigation to preserve judicial economy as well as the resources of the parties hereto.

RESPECTFULLY SUBMITTED this 27th day of August, 2007.

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Certificate of Service

I, hereby, certify that on August 27, 2007, I filed the attached pleading with this Court via approved electronic filing, which will serve all counsel for defendants.

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